

REMARKS

Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

Claim Amendments/Status

Claims 1-30 remain pending in the application. Claims 14 and 29 have been amended to remove multiple dependencies. No other amendments are made.

Claim Rejections - 35 U.S.C. §103

Claims 1-30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Meadows et al. (U.S. Patent No. 6,716,101), hereinafter as Meadows, in view of Lim et al. (U.S. Patent No. 6,259,923), hereinafter as Lim, and further in view of Sheynblat et al. (U.S. Patent No. 6,677,894), hereinafter as Sheynblat. Applicant respectfully traverses this rejection.

The rejection adds Sheynblat as a new reference in combination with Meadows and Lim. Meadows and Lim were previously applied in rejecting claims 1-30. Accordingly, Applicant incorporates by reference in their entirety the arguments contained in Applicant's previous responses. In particular, the previous arguments state in detail deficiencies in Meadows and Lim with respect to the subject matter recited in claims 1-30. The current rejection relies entirely on Sheynblat with respect to that subject matter. Accordingly, the following discussion pertains entirely to subject matter for which the deficiencies in Meadows and Lim have already been established.

Regarding claims 1 and 16, Applicant submits that the cited portions of Sheynblat do not appear to fairly disclose "a DBM-based method . . . wherein said MS communicates said location information of said MS with said PDE via data burst messages." In fact, the cited portions of Sheynblat do not contain any disclosure whatsoever of any use of a data burst message (DBM).

Rather, Sheynblat merely discloses a general use of the Internet and World Wide Web (WWW) (*see* Sheynblat, Figs. 2A-B, 3 and 7-10; and column 4 line 32 to column 5, line 23). In particular, Sheynblat, as applied by the Examiner, appears to disclose the distribution of location or position information pertaining to a mobile station such as a cell phone through the Internet and WWW; however, the cited portions of Sheynblat do not appear to disclose or suggest anything pertaining to a DBM. In other words, the cited portions of Sheynblat do not appear to disclose an MS that communicates location information of the MS with a PDE via data burst messages.

Further regarding claims 1 and 16, Applicant submits that the cited portions of Sheynblat do not appear to fairly disclose “a TCP/IP-based method, wherein . . . said MS communicates said location information of said MS with said PDE via a TCP/IP network.” In fact, the cited portions of Sheynblat do not contain any explicit disclosure whatsoever of any use of a TCP/IP network. Rather, Sheynblat merely discloses a general use of the Internet and World Wide Web (WWW) (*see* Sheynblat, Figs. 2A-B, 3 and 7-10; and column 4 line 32 to column 5, line 23). In particular, Sheynblat, as applied by the Examiner, appears to disclose the distribution of location or position information pertaining to a mobile station such as a cell phone through the Internet and WWW; however, the cited portions of Sheynblat do not appear to disclose anything explicitly pertaining to TCP/IP. In other words, the cited portions of Sheynblat do not appear to disclose an MS that communicates location information of the MS with a PDE via a TCP/IP network. If the Examiner intends to rely on an inherency argument with respect to the disclosure of Sheynblat, Applicant respectfully requests that the rejection make this reliance explicit.

In addition, claims 2-15 and 17-30 depend, either directly or indirectly, from claim 1, or 16, include further important limitations, and are patentable over Meadows, Lim and Sheynblat for at least the reasons set forth above with respect to claim 1, or 16, and, accordingly, the rejection should be withdrawn.

Conclusion

Each of the Examiner's rejections has been traversed / overcome. Accordingly, Applicant respectfully submits that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited. The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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